

UNITED STATES COURT OF APPEALS **FILED**

United States Court of Appeals
Fifth Circuit

March 14, 2007

FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 06-41094
Summary Calendar

D.C. Docket No. 2:05-CV-280

United States Courts
Southern District of Texas
FILED

APR 17 2007

ERIC A GONZALES

Michael N. Milby, Clerk of Court

Plaintiff - Appellant

v.

H E BUTT GROCERY CO; H E B GROCERY COMPANY LP;
GENERAL PARTNER HEB CO GP; IRMA CABRERA

Defendants - Appellees

Appeal from the United States District Court for the
Southern District of Texas, Corpus Christi.

Before JOLLY, DENNIS, and CLEMENT, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and the
briefs on file.

It is ordered and adjudged that the judgment of the District
Court is affirmed.

IT IS FURTHER ORDERED that plaintiff-appellant pay to
defendants-appellees the costs on appeal to be taxed by the Clerk
of this Court.

ISSUED AS MANDATE:

APR 05 2007

A True Copy
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By:



Deputy

New Orleans, Louisiana APR 05 2007